

REMARKS

Claims 1, 2, 6, 8, 10, 11 and 19 have been amended. No other claim amendments have been made. No new matter has been added. No additional Claim fee is due. Claims 1-26 remain pending in the application. An abstract has been added via sepearate sheet.

The Examiner has objected to Claims 8 and 19 for minor errors in the claim language. Both Claims have been amended to correct the oversights.

Claims 2, 6 and 8 have been rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not fully described in the specification. The Examiner has stated that specification does not describe what derivatives are intended by the phrases "derivatives of a polyester of citric acid" and "peptide and polypeptide derivatives". Applicants' respectfully traverse this rejection.

The Examiner's attention is directed to page 6, last paragraph to page 7 first paragraph wherein the phrase "derivative of a polyester of citric acid" is fully set forth. The specification discusses the fact that when unsymmetrical compounds having more than one carboxylic acid group and which are hydroxy terminated are reacted with other materials it is possible for polyester formation to occur via the reaction of one citric acid moiety with another. This description coupled with the remaining description and the examples is entirely sufficient to set forth the meaning of phrase to one skilled in the art of dye preparation.


As for the phrase "peptide or polypeptide derivatives" the claims have been amended to conform to the specification and thereby clarify any potential confusion. Accordingly, Claims 2, 6 and 8 fully comply with all requirements of 35 U.S.C. 112 first paragraph.

Claims 1, 2, 6 10 and 11 have all been rejected under 35 U.S.C. § 112, second paragraph. For various inconsistencies in the Claims. All claims have been amended to correct the problems. Thus, the claims now comply with all aspects of 35 U.S.C. § 112, second paragraph.

Conclusion

In light of the remarks presented herein, Applicants' respectfully submit that Claims 1-26 are allowable over the prior art of record or any combination thereof. Reconsideration and reexamination are respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

By 

Brian M. Bolam
Attorney for Applicant(s)
Registration No. 37,513
(513) 626-4756

June 3rd, 2003

Customer No. 27752